

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RICHARD J. ROBESON,

Plaintiff,

v.

AHERN RENTALS, INC., et al.,

Defendants.

HON. JEROME B. SIMANDLE

Civil No. 10-1443 (JBS/AMD)

ORDER

This matter having come before the Court upon the unopposed motion of Defendants Don Ahern and Mark Brown to dismiss the Complaint as to them for failure to timely serve [Docket Item 20]; for the reasons explained in the Memorandum Opinion of today's date; and for good cause shown;

IT IS this 12th day of **October, 2011** hereby

ORDERED that Defendants' motion to dismiss is **GRANTED**; Defendants Don Ahern and Mark Brown will be dismissed without prejudice; and it is further

ORDERED that Defendants' request for an award of fees and costs is **DENIED**.

s/ Jerome B. Simandle

JEROME B. SIMANDLE

United States District Judge